

Scott B. McElroy  
GREENE, MEYER & McELROY, P.C.  
1007 Pearl Street, Suite 240  
Boulder, CO 80302  
303/442-2021

Richard E. Olson, Jr.  
CLASSEN AND OLSON  
P.O. Box 2101  
Carson City, NV 89702  
(702) 882-5007

Attorneys for the WALKER RIVER PAIUTE TRIBE

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,  
a corporation, et al.

Defendants.

WALKER RIVER IRRIGATION DISTRICT,

Petitioner,

STATE OF NEVADA,

Petitioner-Intervenor,

vs.

CALIFORNIA STATE WATER RESOURCES  
CONTROL BOARD, W. DON MAUGHAN,  
EDWIN H. FINSTER, ELISEO M.  
SAMANIEGO, JOHN CAFFREY and  
DARLENE E. RUIZ, Members of the  
California State Water Resources  
Control Board,

Respondents,

CALIFORNIA TROUT, INC.,

Respondent-Intervenor.

IN EQUITY NO. C-125-B-ECR

UNOPPOSED MOTION FOR  
EXTENSION OF TIME IN  
WHICH TO FILE  
RESPONSE TO THE  
WALKER RIVER  
IRRIGATION DISTRICT'S  
MOTIONS TO DISMISS  
COUNTERCLAIMS; TO  
REQUIRE JOINDER OF  
PARTIES; AND TO  
REQUIRE SERVICE OF  
PROCESS IN ACCORDANCE  
WITH RULE 4 OF THE  
FEDERAL RULES OF CIVIL  
PROCEDURE; and the  
STATE OF NEVADA'S  
PRELIMINARY THRESHOLD  
MOTIONS RE DISMISSAL  
OF COUNTERCLAIMS,  
ADDITIONAL PARTIES AND  
SERVICE OF PROCESS

FILED

AUG 15 1992

CLERK, U.S. DISTRICT COURT  
DISTRICT OF NEVADA

8

Plaintiff-Intervenor, the Walker River Paiute Tribe, respectfully moves this Court for an order extending the time in which to respond to Walker River Irrigation District's (hereinafter "WRID") Motions To Dismiss Counterclaims; to Require Joinder of Parties; and to Require Service of Process in accordance with Rule 4 of the Federal Rules of Civil Procedure; and the State of Nevada's Preliminary Threshold Motions Re Dismissal of Counterclaims, Additional Parties and Service Of Process. WRID and the State of Nevada filed their pleadings on August 3, 1992. A proposed Order is attached. As grounds for their motion, Plaintiff-Intervenor states as follows:

1. Pursuant to the Scheduling and Planning Conference regarding the counterclaim and cross-claim of the Walker River Paiute Tribe held May 18, 1992, "any party desiring to intervene in relation to the counterclaim filed by the Tribe shall be required to file an appropriate motion no later than August 1, 1992." In addition, "Preliminary threshold motions which relate to the issues of whether additional parties are required to be joined in the action in respect to the counterclaim and issues of whether additional notice or service of process on any such additional parties is required, shall be filed by August 1, 1992 . . . ." Responses to these preliminary issues regarding joinder are due thirty (30) days thereafter.

2. Counsel for the Walker River Paiute Tribe (hereinafter "the Tribe") requests additional time to file the Tribe's response because of unanticipated professional commitments which

have recently arisen and which will require counsel for the Tribe to be away from his office for the next two weeks.

3. Gordon DePaoli, counsel for the Walker River Irrigation District, and Margaret Ann Twedt, counsel for the State of Nevada, do not oppose such request.

4. John P. Lang, counsel for the United States of America, was unable to be reached for comment on this motion.


WHEREFORE, the Tribe requests additional time in which to file its response to WRID's and the State of Nevada's motions to dismiss until September 11, 1992.

Dated: 8/20/92

Respectfully submitted,

Scott B. McElroy  
GREENE, MEYER & McELROY, P.C.  
1007 Pearl Street, Suite 240  
Boulder, Colorado 80302  
(303) 442-2021

Richard E. Olson, Jr.  
CLASSEN AND OLSON  
P.O. Box 2101  
Carson City, NV 89702  
(702) 882-5007

By:   
Scott B. McElroy

*Attorneys for the Walker River Paiute Tribe*

**IT IS SO ORDERED**

**U.S. DISTRICT JUDGE**

**DATED:** \_\_\_\_\_

CERTIFICATE OF MAILING

I hereby certify that I have sent a true and correct copy of the foregoing Unopposed Motion for Extension of Time in which to File Response to the Walker River Irrigation District's Motions to Dismiss Counterclaims; to Require Joinder of Parties; and to Require Service of Process in Accordance with Rule 4 of the Federal Rules of Civil Procedure; and the State of Nevada's Preliminary Threshold Motions re Dismissal of Counterclaims, additional Parties and Service of Process, via U.S. Mail, first-class postage prepaid thereon, this 20<sup>th</sup> day of August 1992, addressed to:

Shirley A. Smith  
Assistant U.S. Attorney  
300 Booth Street, Room 2031  
Reno, NV 89509

Larry C. Reynolds  
Deputy Attorney General  
State Engineer's Office  
201 S. Fall Street  
Carson City, NV 89710

Richard R. Greenfield  
Department of Interior  
505 N. 2nd Street, Suite 150  
Phoenix, AZ 85004

Western Nevada Agency  
Bureau of Indian Affairs  
1300 Curry Street  
Carson City, NV 89701

Roger Bezayiff  
Chief Deputy Water Commissioner  
U.S. Board of Water Commissioners  
P.O. Box 853  
Yerington, NV 89447

James T. Markle  
State Water Resources Control Board  
P.O. Box 100  
Sacramento, CA 95814

John Kramer  
Department of Water Resources  
1416 Ninth Street  
Sacramento, CA 95814

Ross E. deLipkau  
P.O. Box 2790  
Reno, NV 89505

Mary Hackenbracht  
Deputy Attorney General  
State of California  
2101 Webster Street  
Oakland, CO 94612-3049

Frankie Sue Del Papa  
Attorney General  
Margaret Ann Twedt  
Deputy Attorney General  
Division of Water Resources  
Capitol Complex  
123 West Nye Lane  
Carson City, NV 89710

Matthew R. Campbell, Esq.  
McCutchen, Doyle, Brown & Enerson  
3 Embarcadero Center  
San Francisco, CA 94111

Linda A. Bowman  
Vargas & Bartlett  
201 W. Liberty St., Suite 300  
P.O. Box 281  
Reno, NV 89504

Garry Stone  
290 South Arlington Ave.  
Reno, NV 89510

Richard E. Olson, Jr.  
Classen and Olson  
P. O. Box 1311  
Bishop, CA 93514

Roger Johnson  
Water Resources Control Board  
State of California  
P. O. Box 2000  
Sacramento, CA 95810

R. Michael Turnipseed, P.E.  
Division of Water Resources  
State of Nevada  
123 West Nye Lane  
Carson City, NV 89710

John P. Lange  
U.S. Department of Justice  
Environment & Natural Resources Division  
999 - 18th Street, Suite 945  
Denver, CO 80202

James W. Johnson  
210 S. Sierra St., Suite 200  
Reno, NV 89501

Gordon H. DePaoli  
Woodburn and Wedge  
One East First Street, Suite 1600  
Reno, NV 89501

Jim Weishaupt, General Manager  
WRID  
P.O. Box 820  
Yerington, NV 89447

LC Olson